

tions of stocks of merchandise otherwise than in the ordinary course of trade in the usual and regular prosecutions of the seller's business, and sales of entire stocks in bulk, unless made in compliance with certain named conditions, and prescribing such conditions and regulations according to which such sales may be made valid."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Majority Report.

Committee Room,

Austin, Texas, January 26, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of your Judiciary Committee No. 1, to whom was referred

Senate bill No. 56, A bill to be entitled "An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections and experiments by authorized persons,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the exception of bodies from the Orphans' Home, Confederate Home, Deaf and Dumb Institute, Insane Asylum, Blind Institute and Epileptic Colony.

STONE, Chairman.

Minority Report.

Committee Room,

Austin, Texas, January 26, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Judiciary Committee No. 1, to whom was referred

Senate bill No. 56, A bill to be entitled "An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections and experiments by authorized persons,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

CHAMBERS.

Committee Room.

Austin, Texas, January 26, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 11, A bill to be entitled "An Act to amend Articles 2639 and 2640 of the Revised Statutes of Texas of 1895, relating to the investment and loaning by a guardian of money belonging to his ward,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,

Austin, Texas, January 25, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 9, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the 1st day of January, 1887, and which have failed, or about to fail to construct their roads and branches, or any part thereof, within the time required by law,"

And find the same correctly engrossed.

BARRETT, Acting Chairman.

SIXTEENTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, January 29, 1907.

Senate met pursuant to adjournment.

President Pro Tem. Skinner in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Harper.

Paulus.

Prayer by Rev. Dr. Briggs of Austin.
Pending the reading of the Journal of yesterday, on motion of Senator Alexander the same was dispensed with.

EXCUSED.

On motion of Senator Terrell, Senator Stokes was excused from attendance upon the Senate for yesterday on account of important business.

On motion of Senator Watson, Senator Paulus was excused for non-attendance upon the Senate for yesterday and today on account of important business.

On motion of Senator Stone, Senator Faust was excused for non-attendance upon the Senate for yesterday on account of important business.

BILLS AND RESOLUTIONS.

By Senator Glasscock:

Senate bill No. 123, A bill to be entitled "An Act making it a misdemeanor with a penalty for any person who is appointed to or becomes a candidate for and State, district, county, subdivision of a county, or for any municipal office, to willfully fail or refuse to file with the county clerk of the county of his residence within ten days after his appointment to such office or within ten days after he became a candidate, his affidavit in writing stating the scope, character, interest, service or employment he has with any trust or any corporation operating in this State, whether such corporation is chartered or not under the laws of this State; further providing the name of such candidate who fails to comply with this act shall not be placed on the ticket for the office for which he is a candidate at such election, and for the removal from office of all appointed officers named in this act, and with an emergency clause."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Murray:

Senate bill No. 124, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office, with the consent and approval of the Governor and Attorney General, to sell the guayule, lechuguilla, sotol and other vegetation on school land, and to enter into contract for the purpose of determining the commercial value of those and all other substances found upon public school land."

Read first time, and referred to Committee on Lands and Land Office.

By Senator Mayfield:

Senate bill No. 125, A bill to be entitled "An Act declaring every person, firm or corporation operating a line of palace, parlor or sleeping cars to be a common carrier; requiring such person, firm or corporation to keep a general office in the State, and to furnish annual and other reports to the Railroad Commission of Texas; empowering the Railroad Commission to examine books, accounts and records of such person, firm or corporation, to make rates, rules and regulations for the observance and guidance of same; prohibiting extortion; providing that such person, firm or corporation shall be subject to laws, rules and regulations governing railroads so far as applicable; and providing penalties for violation of the provisions of the act."

Read first time, and referred to Committee on Internal Improvements.

By Senator Holsey:

Senate bill No. 126, A bill to be entitled "An Act to amend Section 9, Chapter 137, page 222, of an act of the Twenty-eighth Legislature entitled 'An Act to preserve and protect the wild game, wild birds and wild fowls of the State, to provide adequate penalties for the unlawful taking, slaughter, sale or shipment thereof, and to repeal all laws and parts of laws in conflict herewith,' so as to make it lawful to kill quail or partridge between the third day of November and the first day of March of each year."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Senter:

Senate bill No. 127, A bill to be entitled "An Act to prohibit vendors of nursery products, their agents, servants and employes from defrauding vendors, and providing penalties for the violation thereof."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Looney:

Senate bill No. 128, A bill to be entitled "An Act to require corporations and their officers to permit the Attorney General or his assistants to examine all the books, records, documents, etc., of such corporation, to take copies of same in certain cases, making failure to comply with this act a misdemeanor and prescribing punishment therefor, and providing for forfeiture of charter and cancellation of permits of corporations

for failure to comply therewith, fixing venue, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Senter:

Senate bill No. 129, A bill to be entitled "An Act to amend Sections 3295, 3296 and 3303, Chapter 2, Title LXVI, Revised Civil Statutes of the State of Texas."

Read first time, and referred to Judiciary Committee No. 1.

Morning call concluded.

(Lieutenant Governor Davidson in the chair.)

SIMPLE RESOLUTION.

By Senator Looney:

Whereas, Hon. W. J. Cunningham, Senator-elect for the Twenty-eighth Senatorial District of this State, vice Senator Hawkins, resigned, is present in the Senate Chamber; and

Whereas, There can be no question raised as to the fact and legality of his election; therefore, be it

Resolved, That Hon. W. J. Cunningham be permitted to take the oath of office at once, and to take his seat in this body as a Senator.

(Signed) LOONEY,
SMITH.

The resolution was read and referred to Committee on Privileges and Elections, and the Chair requested the committee to make immediate report on same.

SENATE BILL NO. 16.

The Chair laid before the Senate, pending business from yesterday,

Senate bill No. 16, A bill to be entitled "An Act making it an offense punishable by fine and removal from office for any executive, legislative or judicial officer of this State, county, city or other municipal subdivision of the State, to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office, position, employment or duty in any department of the government of which such executive, legislative or judicial officer may be a member; or any person so related to any other such officer, on consideration of the appointment or vote for the appointment by such other officer, of any person so related to the officer making or voting for such appointment; prohibiting the payment of any such ineligible person

out of any public funds, and providing for suitable punishment and removal from office for the violation of this act and fixing venue."

The following amendment was pending:

Amend Senate bill No. 16 by adding after the word "funds," line 28, page 1, "or fees of office."

The amendment was adopted.

The bill was read second time, and ordered engrossed, and

Senator Skinner offered the following amendment:

Amend the bill by inserting after the word "State," in line 25, page 1, "district."

The amendment was adopted by the following vote:

Yeas—26.

Alexander.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Barrett.	Meachum.
Harper.	

Absent—Excused.

Paulus.

On motion of Senator Looney, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Murray.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Barrett. Harper.
Harbison. Meachum.

Absent—Excused.

Paulus.

Question being on the final passage of the bill,

Senator Skinner offered the following amendment:

Amend the bill by inserting after the word "State," in line 19, page 2, the word "district."

The amendment was adopted by the following vote:

Yeas—25.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Murray.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Barrett. Hudspeth.
Harper. Meachum.

Absent—Excused.

Paulus.

Senator Skinner offered the following amendment:

Amend the caption by inserting the word "district," after "State," in line 7, page 1.

The amendment was adopted by the following vote:

Yeas—28.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Harper.

Absent—Excused.

Paulus.

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Harper.

Absent—Excused.

Paulus.

Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

COMMITTEE REPORT.

(Floor Report.)

By unanimous consent, Senator Skinner offered the following committee report:

Committee Room,

Austin, Texas, January 28, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Privileges and Elections, to whom was referred a resolution as follows:

Whereas, Hon. W. J. Cunningham, Senator-elect for the Twenty-eighth Senatorial District of this State, vice Senator Hawkins, resigned, is present in the Senate Chamber; and

Whereas, There can be no question as to the fact and legality of his election; therefore, be it

Resolved, That Hon. W. J. Cunningham be permitted to take the oath of office at once and to take his seat in this body as a Senator.

Have had the same under consideration, and I am directed to report it

back to the Senate with the recommendation that it be adopted.

SKINNER, Chairman.

Senator Looney moved that the Senate rule requiring committee reports to lie over for one day be suspended, for the purpose of considering the above report.

The motion was unanimously adopted.

OATH OF OFFICE ADMINISTERED.

The Chair (Lieutenant Governor Davidson) asked President Pro Tem. Skinner to present Senator-elect Cunningham to the President's stand, whereupon the constitutional oath of office was administered him by Lieutenant Governor Davidson.

Senator Cunningham, of Taylor county, represents District 28, composed of the following counties: Taylor, Palo Pinto, Stephens, Eastland, Callahan, Nolan, Mitchell, Howard, Martin, Andrews, Glasscock, Midland, Ector, Winkler, Loving, Ward, Crane, Upton, Gaines, Yoakum, Terry, Lynn, Dawson, Borden, Garza, Kent, Scurry, Fisher, Stonewall, Haskell, Jones and Shackelford.

COMMITTEE ASSIGNMENTS.

The Chair announced the appointment of Senator Cunningham on the following standing committees:

Chairman of Committee on Engrossed Bills, and a member of Judiciary Committee No. 2 and Committee on Public Lands and Land Office.

SENATE BILL NO. 13.

The Chair laid before the Senate, regular order, second reading.

Senate bill No. 13, A bill to be entitled "An Act regulating the granting of divorce by annulling marriage, dissolving the bonds of matrimony, the practice in relation to the trial of divorce suits; prescribing penalties for the violation thereof, and with an emergency clause."

The following amendment by Senator Terrell was pending:

Amend Section 1 by striking out all of said section beginning with the first word "in" on line 13.

EXECUTIVE SESSION.

The Chair here announced that the hour of 11 o'clock, the hour that the Senate had previously designated for the Senate to sit in executive session, had

arrived, and ordered that the Senate Chamber be cleared of all who were not entitled to remain.

In executive session the following confirmations were made:

For Trustee of the North Texas Insane Asylum at Terrell—Dr. W. A. Watkins, Walter D. Adams, Ben L. Gill, John L. Terrell, Eli Gafney.

W. E. Pope of Madison county, Texas, as district attorney of the Twelfth Judicial District of Texas, to fill the vacancy caused by the resignation of L. T. Dashiell.

IN THE SENATE.

PENDING BUSINESS.

Consideration of Senate bill No. 13 was resumed at the conclusion of the business of the executive session, the question being on the amendment by Senator Terrell.

Pending discussion on the amendment, the Senate adjourned.

Senator Senter asked unanimous consent to have the following amendment published in the Journal, which amendment he proposes to offer to the bill. There was no objection.

Amend by striking out Sections 2, 3, 6, 7 and 8 of the bill, renumbering the other sections accordingly, and adding a section to be numbered 3, as follows:

"Section 3. Whenever a divorce shall be granted, the judgment shall provide that the party against whom it is rendered shall not remarry within the period of one year from the time the judgment shall become final, and any person who shall, within said period, marry within this State, or who shall marry without the State, and at any time thereafter shall come within this State, shall be punished with imprisonment in the State penitentiary for a period of not less than one year and not more than three years, and in the event such person shall marry without the State the statute of limitation shall not begin to run against prosecution therefor until such person shall thereafter take up a permanent residence within this State."

SIMPLE RESOLUTION.

By Senator Terrell:

Resolved, That the printer be instructed to furnish for the use of the Senators 2000 extra copies of Senate Journal of January 23, which contains

a record of the votes cast for United States Senator in both House and Senate.

The resolution was laid on the table subject to call.

SENATE BILL NO. 67.

On motion of Senator Stokes, the pending order of business (Senate bill No. 13) was suspended, and the Senate took up, out of its order, Senate bill No. 67.

The Chair laid before the Senate, on second reading:

Senate bill No. 67, A bill to be entitled "An Act to amend Section 2 of an act approved May 11, 1905, creating the Jacksonville Independent School District, in Cherokee county, Texas, defining its boundaries, etc., which is Chapter 3 of the General Laws passed at the First Called Session of the Twenty-ninth Legislature, so as to more particularly and accurately define and describe its boundaries."

The committee report was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Stokes, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Cunningham.	Harper.
Harbison.	Looney.

Absent—Excused.

Paulus.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Brachfield.
Barrett.	Chambers.

Faust.	Meachum.
Glasscock.	Murray.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Holsey.	Stone.
Hudspeth.	Terrell.
Kellie.	Veale.
Masterson.	Watson.
Mayfield.	Willacy.

Absent.

Cunningham.	Harper.
Harbison.	Looney.

Absent—Excused.

Paulus.

ADJOURNMENT.

On motion of Senator Terrell, the Senate, at 12:45 o'clock, adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

PETITION.

By Senator Hudspeth:

The State of Texas, County of Brewster.

Whereas, The loss to owners of live stock in the State of Texas, annually, by reason of the depredations of wild animals is enormous; therefore, we

The undersigned citizens of Brewster county, do hereby petition and request the Thirtieth Legislature to pass the bill introduced by the Hon. Claude Hudspeth, appropriating the sum of \$100,000, to be used for the purpose of exterminating such wild animals as depredate upon live stock.

This 20th day of January, A. D. 1907.

Signed by 200 citizens.

COMMITTEE REPORT.

Committee Room,

Austin, Texas, January 29, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 99, A bill to be entitled "An Act to amend Section 3 of Chapter 58 of the Acts of the Regular Session of the Twenty-ninth Legislature of the State of Texas, reorganizing the Twenty-third, Twenty-fourth, Twenty-fifth, Thirty-sixth and Forty-ninth Judicial Districts of the State of Texas, and fixing

the time of holding court therein, so as to change the time of holding court in Gonzales county, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WATSON, Chairman.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, January 30, 1907.

Senate met pursuant to adjournment.

Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Harper.

Prayer by Rev. Dr. Boothe of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Terrell, the same was dispensed with.

(See Appendix for petitions, memorials and committee reports.)

BILLS AND RESOLUTIONS.

By Senator Murray:

Senate bill No. 130, A bill to be entitled "An Act to provide for the payment to W. R. Davie, Tax Commissioner of the State of Texas, the sum of one thousand and forty-one dollars and sixty-six cents (\$1041.66) in payment of salary as such Tax Commissioner from the 2d day of January, 1906, to and including the 31st day of May, 1906, at the rate of \$2000 per annum, as prescribed by Section 5, Chapter 146, General Laws of the State of Texas, passed by the Twenty-ninth

Legislature, approved April 17, 1905, and not provided for by the act making appropriations for the support of the State government for two years ending August 31, 1907, approved May 23, 1905, and making appropriation for the payment of same."

Read first time, and referred to Finance Committee.

By Senator Murray:

Senate bill No. 131, A bill to be entitled "An Act to amend Sections 5 and 6 of Chapter 103, approved April 15, 1905, providing for the sale and lease of the public free school and asylum land, and to add thereto Sections 6a, 6b, 6c, 6d and 6e, providing for placing the school land in certain counties on the market for sale; also providing for the sale of land in other counties without condition of settlement; to protect the owners of improvements, and to make certificates of occupancy a muniment of title and for the sale of mineral land with the reservation of the minerals thereon, and to repeal all laws and parts of laws in conflict with this act, and declaring an emergency."

Read first time, and referred to Committee on Public Lands and Land Office.

By Senator Watson:

Senate bill No. 132, A bill to be entitled "An Act to declare invalid any extension of promissory notes or other written obligations to pay money unless the same be in writing."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Glasscock:

Senate Joint Resolution No. 9, To amend Article 16 of the State Constitution by adding thereto Section 58, to establish a department to the State government on agriculture, horticulture and live stock, and further authorize the Legislature to add such other departments to the State government as may be deemed necessary by a two-thirds vote of the Legislature."

Read first time, and referred to Committee on Constitutional Amendments.

SIMPLE RESOLUTION.

By Senator Watson:

Whereas, C. T. Hancock has served as clerk in the Sergeant-at-Arms' office for a period of eighteen days, beginning January 8, A. D. 1907, and ending January 25, A. D. 1907; therefore, be it

Resolved, That he be allowed \$5 per day for said services.